Exhibit 7

Omnibus Mao Declaration

MATERIALS SOUGHT TO BE FILED UNDER SEAL

1   UNITED STATES DISTRICT COURT

2   NORTHERN DISTRICT OF CALIFORNIA

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4   ANIBAL RODRIGUEZ, JULIEANNA   )

       MUNIZ, ELIZA CAMBAY, SAL   ) Case No.:

5   CATALDO, EMIR GOENAGA, JULIAN   ) 3:20-cv-04688

       SANTIAGO, HAROLD NYANJOM, KELLIE   )

6   NYANJOM, and SUSAN LYNN HARVEY,   )

       individually and on behalf of all   )

7   others similarly situated,   )

)

8   Plaintiffs,   )

           vs.   )

9   )

       GOOGLE LLC,   )

10   )

                     Defendant.   )

11   ------------------------------------)

12

13

14   ***HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY***

15   REMOTE PROCEEDINGS OF THE

16   VIDEOTAPED DEPOSITION OF GREG FAIR

17   MONDAY, OCTOBER 3, 2022

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23   REPORTED BY NANCY J. MARTIN

24   CSR. NO. 9504, RMR, RPR

25   PAGES 1-256

                                                    Page 1

1   So it's very contextual to how we can best

2   display in the context of search in this case.

3   Q.   And were you -- under your -- excuse me.

4   With any use -- excuse me.

5   With any user research -- or user experience

6   research teams, were you conducting any surveys that

7   related to this discussion reflected here in

8   Exhibit 87?

9   A.   I'm quite certain we did. This is one of the

10   products that our teams launched, and we would have,

11   just because it's the right thing to do and also

12   because it helps us build a better product, would have

13   had research associated with any of these product

14   launches.

15   Q.   Would any of that research have had any

16   project names or code names or anything that would

17   help better identify it? So, for example, if Sam

18   Heft-Luthy came to you and said, "Hey, I'm looking at

19   this," and he said, "Oh, there might be some helpful

20   information in this other study we did," or "this

21   other review that we did, you might look here," how

22   would you help direct another Googler to that body of

23   research?

24   A.   There are a number of different bodies of

25   research that this particular conversation might be

1   referencing. I can go back to where we started our

2   conversation today, around the data controls and the

3   Narnia project, because that's the project that

4   instantiated these settings as a collection of

5   settings to be presented together rather than purely

6   in the products. So that's a body of work that's

7   pretty significant.

8   In addition, the project that was being led

9   here, and it's, I believe, referenced a few times,

10   it's called -- its reference is PA, privacy advisor,

11   and that was the shorthand for the idea that you would

12   have this kind of privacy-focused module in product to

13   help a user in context and understand the privacy

14   settings that are specifically related to their

15   product experience.

16   Q.   Okay. So I guess were there any project

17   names or code names that you can recall for studies of

18   user expectations with WAA?

19   A.   I don't remember a project name that was

20   specific to studies of user expectations to WAA.

21   Q.   Do you remember any project names or code

22   names that would have studied any kind of expectations

23   with WAA?

24   A.   Sure. You know, broadly in the privacy

25   space, we launched a pretty wide-reaching privacy

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1   research set of studies that are focused on privacy

2   and end users that we refer to as Pinecone and that

3   was focused on research probably. And that's the --

4   my primary engagement in user research because it sat,

5   you know, closer to my purview rather than being run

6   by another team.

7   Q.   Okay. And then who is Vlad Adzic, Adzic?

8   A.   Vlad was a senior engineer on the search team

9   that ran Footprints. Senior engineer was not his

10   official title, but he's one of the more senior

11   engineers on the team.

12   Q.   And did you have any conversations with

13   Mr. Adzic about user perceptions of WAA?

14   A.   Everybody who worked on it, especially on the

15   Footprints team, we would have walked through all

16   those pieces. As a matter of fact, Vlad likely showed

17   up at some of our research studies as well. We try to

18   invite folks from across the company that are working

19   on relative products where we could to spread the

20   information as widely as we can to help encourage a

21   sense of user empathy.

22   Q.   And do you recall the substance of any

23   conversations that you would have had with Mr. Adzic

24   about user perceptions of WAA?

25   A.   Not the specifics. Vlad was a fun guy to

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1   talk to because he was smart and argumentative. So he

2   liked to take positions to walk through an argument to

3   understand stuff. So we would have talked about

4   anything that came up.

5   Q. And so if you wanted to study a user

6   expectation or what a user thinks about WAA, were

7   there any data points that you might start with or

8   that you did start with during your time at Google?

9   A. It was a while ago. Vlad relied on my

10   research teams to figure out some best approaches. I

11   also had my own personal experience, and I would, you

12   know, encourage and cajole, like faster, I want it

13   now. I want faster. So -- to make sure we were doing

14   as much as we could because I cared, but I didn't have

15   any specific agenda or methods.

16   That was -- you know, I got to say, "I want

17   to understand this," and our research teams would say,

18   "Okay. Here's some ways we can do that," and they

19   would run the studies and they would figure out the

20   time frames and the context in which we could study

21   it.

22   Q. If you were interested in user expectations

23   and studying them with regard to WAA, would there be a

24   split of users who enabled and disabled WAA?

25   A. I think there are any number of different

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1   really long word, to shorten it you just put the

2   number of letters that you're omitting in the middle.

3   So like I think internationalization was IATN,

4   something to that effect.

5   So P13N would have been just short for

6   personalization so you didn't have to type out a big

7   word like personalization, and there's a lot of

8   examples of that just in tech E-mail and shorthand

9   speak.

10   Q.   That's interesting. Again, my mom is a

11   retired stenographer. So I'm sure --

12   A.   She's a pro. If we could adapt those, we'd

13   probably be a lot more efficient.

14   (Deposition Exhibit 89 was marked for

15   identification.)

16   MR. McGEE: I've marked what's been marked as

17   Exhibit 89. That's Bates labeled GOOG-RDGZ-00127984.

18   And for this document, I'm really focusing on Page 3,

19   and it's an E-mail from Googler on December 6, 2019 at

20   2:19 a.m.

21   And there's a portion here where he states,

22   "We have seen that very little users understand the

23   exact impact of opting into 'ads p13n,'" which I

24   think, based on your testimony, would mean ads

25   personalization.

1   And really what I would like to ask is

2   whether you've had discussions with Arne de Booij

3   about these studies and what the results of those

4   studies were.

5   A. I'm sorry. At the beginning of this, did you

6   say this was a Google user?

7   Q. No, a Googler.

8   A. Excuse me. Okay. So there was a Googler

9   that you were talking about, and it was Arne de

10   Booij's E-mail of -- this is a long one, of Friday,

11   December 6, 2019 at 2:19 a.m.?

12   Q. Correct.

13   A. Okay. And your question was regarding do I

14   know who he is?

15   Q. Well, I guess first question is do you know

16   who -- I think you do based on the way you pronounced

17   his name.

18   A. Uh-huh. Yes.

19   Q. In the second sentence of his E-mail, "In

20   general, we have seen that very little users

21   understand the exact impact of opting into 'Ads'"

22   personalization "- where these ads will be

23   'personalized' (on Google, off Google, facebook!), how

24   it affects data collection (does not, does, 1P, 3P)

25   and how it affects the amount of ads (more, less, the

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1   same)."

2   And really what I'm getting at here is were

3   you part of these studies that this individual is

4   referencing? Did you ever see them or did you have

5   any involvement?

6   A. So Arne de Booij was one of my research

7   leads, and for the bulk of the time throughout the

8   existence of the program the lead researcher for

9   Pinecone. So this is privacy-focused research, much

10   of it related directly to my work, and it was a way of

11   getting user insights as well as evangelizing some of

12   the user stories around privacy to the rest of the

13   companies who would often bring folks in from other

14   teams that didn't work solely on privacy.

15   So much of Arne's research I was involved in

16   or directly participated in or sponsored or someone on

17   my team would have sponsored and worked on.

18   Q. Okay. And with regards to the ads

19   personalization and the numerous criteria that Arne de

20   Booij lists here, were those reflected in Pinecone

21   studies or were they in different studies that may

22   have gone by a different name?

23   A. In general, I would say that Arne's studies

24   were mostly in the Pinecone umbrella, but, you know,

25   we might partner with other teams. It could be ads

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1   team, with a search team, with a maps team on specific

2   studies that we'd like them to run because it's more

3   appropriate for them to run, or maybe they have

4   resources with the expertise.

5   Q. So the Pinecone studies were under your

6   team's purview; correct?

7   A. They were in the privacy and data protection

8   office group, yeah. The user research didn't report

9   in to project management. So it was technically

10   separate, and we were all part of the same overall

11   group, yes.

12   Q. Do you know what the equivalent name of

13   Pinecone would be for the studies performed by search?

14   A. I don't know of any or if they would have

15   any.

16   Q. So if search did a user expectation or a user

17   evaluation survey, you don't know whether that would

18   have a name like Pinecone or what that name is?

19   A. I would be surprised if they did because,

20   remember, we were a very -- we're a vertical focused

21   group. Like our research would typically focus on a

22   specific area, and we'd create a brand around it to

23   kind of bring in a bunch of folks from everywhere,

24   conducting research. It's just research that they do.

25   Q. Okay. Do you recall -- or as you sit here,

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